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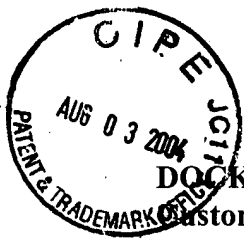
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DOCKET NO.: ATTW01-00046

PATENT

Customer No.: 34700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : David B. Gibbons et al.
Serial No. : 09/592,820
Filed : June 12, 2000
For : SYSTEM AND METHOD FOR BROADCASTING TIMING
INFORMATION TO REMOTE UNITS IN A WIRELESS
MULTIPLE ACCESS NETWORK
Group No. : 2664
Examiner : Mark A. Mais

MAIL STOP PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Pursuant to 37 C.F.R. §§ 1.8(b) and 1.181, Applicant respectfully requests withdrawal of the holding of the above-identified case as abandoned in the Notice of Abandonment mailed June 22, 2004 (Paper No. 3).

An Office Action was mailed in the above-identified application on November 5, 2003. Applicant's attorneys prepared a response and timely mailed that response pursuant to 37 C.F.R. § 1.8(a) on February 3, 2004, with a certificate listing each item of correspondence and stating the date of mailing, as well as a self-addressed, postage-paid return postcard. A copy of that response and

Certificate of Mailing are attached. Also attached is a copy of the date-stamped postcard indicating receipt of the response by the Patent Office.

Furthermore, Applicant would like to bring to the attention of the Patent Office that all future correspondence in connection with this application be forwarded to the address as indicated in the Change of Correspondence Address which was filed on June 28, 2004. A copy of the Change of Correspondence Address is attached along with a copy of the Revocation and New Power of Attorney which was filed on December 2, 2003.

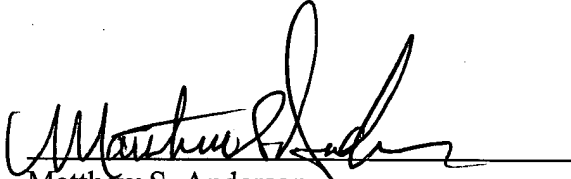
Accordingly, Applicant respectfully requests withdrawal of the holding of abandonment.

The Commissioner is hereby authorized to charge any fees that may be connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: 7/29/4


Matthew S. Anderson
Registration No. 39,093

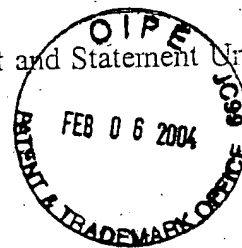
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(972) 628-3600 (main number)
(972) 628-3616 (fax)
E-mail: manderson@davismunck.com



Mailed: February 3, 2004
In re. Application of: DAVID B. GIBBONS, ET AL.
Serial Number: 09/592,820
Filed: June 13, 2000
Title: SYSTEM AND METHOD FOR BROADCASTING TIMING
INFORMATION TO REMOTE UNITS IN A WIRELESS
MULTIPLE ACCESS NETWORK
Docket No.: ATTW01-00046 (formerly 1999-0345B (STG171))

The following documents were received in the U.S. Patent and Trademark Office on the date stamped below:

- 1) Certificate of Mailing by First Class Mail;
- 2) Amendment and Response to Office Action; and,
- 3) Copy of Power of Attorney or Authorization of Agent and Statement Under 37 C.F.R. 3.73(b) filed on December 8, 2003.



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DAVIS MUNCK

Mailed February 3, 2004
In re. Application of: DAVID B. GIBBONS, ET AL.
Serial Number: 09/592,820
Filed: June 18, 2000
Title: SYSTEM AND METHOD FOR BROADCASTING TIMING
INFORMATION TO REMOTE UNITS IN A WIRELESS
MULTIPLE ACCESS NETWORK
Docket No.: ATTW01-00046 (formerly 1999-0345B (STG171))

The following documents were received in the U.S. Patent and Trademark Office on the date stamped below:

- 1) Certificate of Mailing by First Class Mail;
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- 3) Copy of Power of Attorney or Authorization of Agent and Statement Under 37 C.F.R. 3.73(b) filed on December 8, 2003.

DOCKET NO.: ATTW01-00046 (formerly 1999-0345B (STG171))
Customer No.: 34700

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : DAVID B. GIBBONS, ET AL.
U.S. Serial No. : 09/592,820
Filed : June 13, 2000
For : SYSTEM AND METHOD FOR BROADCASTING TIMING
INFORMATION TO REMOTE UNITS IN A WIRELESS
MULTIPLE ACCESS NETWORK
Group No. : 2664
Examiner : W. C. Schultz

MAIL STOP NON-FEE AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

The undersigned hereby certifies that the following documents:

1. Postcard Receipt;
2. Amendment and Response to Office Action; and,
3. Copy of Power of Attorney or Authorization of Agent and Statement Under 37 C.F.R. 3.73(b) filed on December 8, 2003

relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to: MAIL STOP NON-FEE AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 3, 2004.

Date: Feb 3, 2004

Kathy Hamilton
Mailer

Date: 2/3/4

Matthew S. Anderson
Matthew S. Anderson
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DOCKET NO. ATTW01-00046 (formerly 1999-0345 (STG171))
CUSTOMER NO.: 34700

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : DAVID B. GIBBONS, ET AL.
Serial No. : 09/592,820
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Group No. : 2664
Examiner : W. C. Schultz

MAIL STOP NON-FEE AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT AND RESPONSE TO OFFICE ACTION

No fees are believed to be necessary; however, in the event that any fees are required for the prosecution of this application, please charge any necessary fees to Deposit Account No. 50-0208.

No extension of time is believed to be necessary. If, however, an extension of time is needed, the extension is requested and please charge the fee for this extension to Deposit Account No. 50-0208.

In response to the Office Action dated November 5, 2003, please amend the above-identified application as follows:

An Amendment to the Attorney's Docket Number appears on page 3 of this paper.

A Listing of the Claims begins on page 4 of this paper. Claims have not been amended.

Remarks/Arguments begin on page 10 of this paper.

ATTORNEY DOCKET NO. ATTW01-00046
U.S. SERIAL NO. 09/592,820
PATENT

IN THE ATTORNEY DOCKET NUMBER:

Please change the Attorney Docket Number to ATTW01-00046. Previous docket number was 1999-0345 (SGT171).

IN THE CLAIMS:

Following are the current claims. Claims have NOT been amended in this response, and so any differences in the claims below and the current state of the claims is unintentional and in the nature of a typographical error:

1. (Original) In a wireless multiple access network, a method for establishing a network time comprising:
in an orthogonal frequency division multiplexed (OFDM) waveform of
cooperating frequency domain channels and a frame of time domain slots,
providing a combination of frequency domain channels and time domain
slots which define a broadcast channel;
transmitting network clock information on the broadcast channel to remote units;
receiving the broadcast channel at a remote unit; and
deriving the network clock information from the received broadcast channel.
2. (Original) The method of claim 1 wherein:
providing the broadcast channel includes providing a plurality of identified
broadcast channel superframes;
transmitting of the network clock information includes identifying a first
broadcast channel superframe; and
driving network clock information includes the remote unit identifying the first
broadcast channel superframe.
3. (Original) The method of claim 2 wherein
providing the broadcast channel includes each broadcast channel superframe
having eight broadcast channel frames; and
transmitting the first broadcast channel superframe identity includes transmitting

the first broadcast channel superframe identity in a first plurality of broadcast channel frames.

4. (Original) The method of claim 3 wherein:

providing the broadcast channel includes each broadcast channel frame having 32 network access channel frames; and
transmitting the first broadcast channel superframe identity includes transmitting the first broadcast channel superframe identity in a first network access channel frame, in the first plurality of broadcast channel frames.

5. (Original) The method of claim 4 wherein:

providing the broadcast channel includes each network access channel frame having 5 network access channel slots, and each network access channel slot includes 4 time slots; and
transmitting the first broadcast channel superframe identity includes transmitting a first network access channel slot, in the first network access channel frame.

6. (Original) The method of claim 5 further comprising:

maintaining a 29-bit superframe count to identity each broadcast channel superframe; and

wherein:

transmitting the first broadcast channel superframe identity includes transmitting a first 29-bit superframe count.

7. (Original) The method of claim 6 wherein:

providing a broadcast channel includes a second broadcast channel superframe following the first broadcast channel superframe; and
the method further comprising:

following the first broadcast channel superframe, incrementing the first broadcast channel superframe count by one to create a second broadcast channel superframe count; and

wherein:

transmitting network clock information includes transmitting the second broadcast channel superframe count to identify the second broadcast channel superframe.

8. (Original) The method of claim 5 wherein:

providing a broadcast channel includes using 32 reusable base station numbers, with the assignment of one network access channel frame, in each broadcast channel frame, to each base station number.

9. (Original) The method of claim 3 further comprising:

loading the remote unit with a 32-bit hardware serial number;

installing the remote unit in the network;

transmitting the hardware serial number in a second plurality of broadcast channel frames;

transmitting a 14-bit remote unit identity associated with the hardware serial number;

receiving the hardware serial number at the remote unit;

correlating the remote unit identity with the hardware serial number; and

using the remote unit identity for communications with the remote unit.

10. (Original) In a wireless multiple access network, a method for initializing a remote unit, the method comprising:
 - loading the remote unit with a 32-bit hardware serial number;
 - installing the remote unit in the network;
 - transmitting the hardware serial number and a corresponding 14-bit remote unit identity;
 - at the remote unit, deriving the remote unit identity in response to receiving the hardware serial number; and
 - using the remote unit identity for communications with the remote unit.
11. (Original) In a wireless multiple access network, a system for establishing a network time comprising:
 - a first base station having a network clock and a port for communicating information organized in an orthogonal frequency division multiplexed (OFDM) waveform of cooperating frequency domain channels and a frame of time domain slots, including a combination of frequency domain channels and time domain slots which define a broadcast channel transmitting network clock information; and
 - a first remote unit having a local clock and a port for communicating with the first base station, the first remote unit updating the local clock with the network clock information received on the broadcast channel.
12. (Original) The system of claim 11 in which the first base station transmits information in a plurality of broadcast channel superframes, and in which the first base station transmits network clock information which identifies a first broadcast channel superframe; and
 - in which the first remote unit updates the local clock by identifying the first broadcast channel superframe.

13. (Original) The system of claim 12 in which each broadcast channel superframe includes eight broadcast channel frames, and in which the first base station transmits the first broadcast channel superframe identity in a first plurality of the broadcast channel frames.
14. (Original) The system of claim 13 in which each broadcast channel frame includes 32 network access frames, and in which the first base station transmits the first broadcast channel superframe identity in a first network access channel frame, in the first plurality of broadcast channel frames.
15. (Original) The system of claim 14 in which each network access channel frame includes 5 network access channel slots, and in which the first base station transmits the broadcast channel superframe identity in a first network access channel slot, in the first network access channel frame.
16. (Original) The system of claim 15 in which the first base station network clock includes a 29-bit superframe counter to identify each broadcast channel superframe, and in which the first base station transmission of the first broadcast channel superframe identity includes transmitting a first 29-bit superframe count.
17. (Original) The system of claim 16 in which a second broadcast channel superframe follows the first broadcast channel superframe, in which the superframe counter is incremented by one, following the first broadcast channel superframe, to create a second broadcast channel superframe count, and in which the second broadcast channel superframe count is transmitted to identify the second broadcast channel superframe.
18. (Original) The system of claim 15 further comprising:
32 base stations, including the first base station;

in which each base station transmits broadcast channel information in one network access channel frame, within each broadcast channel frame.

19. (Original) The system of claim 13 in which the first remote unit further comprises a memory including a first 32-bit hardware serial number, when the first remote unit is installed in the network;
- in which the first base station transmits the first hardware serial number in a second plurality of the broadcast channel frames with a corresponding first 14-bit remote unit identity; and
- in which the first remote receives the first base station transmissions including the first hardware serial number, and derives the first remote unit identity from the received first base station transmission, the first remote unit using the first remote unit identity for subsequent communications with the first base station.

REMARKS

The Examiner is thanked for his careful and thorough Office Action.

Claims 1-19 are pending in the present application. Claims 6 and 16 were objected to; and claims 1-5, 7-15 and 17-19 were rejected.

Reconsideration of the claims is respectfully requested.

Claim Rejections -- 35 U.S.C. § 103

Claims 1-5, 7-15 and 17-19 were rejected as obvious over Krasner (USP 6,150,980, hereinafter "Krasner")) in view of Engstrom *et al.* (USP 5,909,436, hereinafter "Engstrom").

Independent claims 1 and 11 each explicitly require an orthogonal frequency division multiplex (OFDM) system. An OFDM system differs, in a very basic aspect, from time-division multiple access (TDMA) and code-division multiple access (CDMA) systems – where TDMA segments are defined according to time and CDMA segments are defined according to spreading codes, OFDM segments are defined according to frequency.

Krasner includes, in column 12, a detailed discussion of time-determination issues in a GSM system, and notes specifically that the GSM is a TDMA system. In a TDMA system, time-determination issues are inherent and particularly important, since the system is based explicitly on time divisions. An ODFM system, on the other hand, is a frequency-division system, and is primarily concerned with much different issues.

Nothing in Krasner or Engstrom, or any combination of these references, teaches or suggests an OFDM system having features as claimed in independent claims 1 and 11, or in their respective dependent claims.

The outstanding Office Action relies on Krasner's description, in col. 12, of GSM timing markers, and then indicates that these same features would be found in an OFDM system. In support of this, the Office Action states in paragraph 6 that "Engstrom et al. discloses the use of OFDM with DSM broadcasts." This statement is incorrect – in col. 2, Engstrom states in relevant part that "Multi-access ... radio telephony systems are of course well known, e.g. the GSM. ... system. ... The use of conventional OFDM for such systems is also known."

Engstrom does not say that OFDM is used with GSM broadcasts – which is simply not true – rather, Engstrom simply states that both GSM and OFDM are used for multi-access radio telephony systems. At no point does Engstrom indicate that GSM uses or even could use OFDM, since the GSM standard is TDMA only. Certainly nothing in any cited art indicates that Krasner's description of TDMA timing issues can be applied to OFDM, or that GSM systems should be modified to use OFDM.

There is therefore no teaching or suggestion in this combination of references of an OFDM system that includes the claimed broadcast channel transmitting network clock information to remote units as in independent claims 1 and 11. Further, there is no teaching or suggestion in the art that GSM systems should abandon TDMA in favor of OFDM. The Office Action appears to suggest that those of skill in the art will always choose OFDM over TDMA and CDMA, since it includes "the best of the benefits" of both; this proposition is not supported in the cited art, nor is it commonly believed by those of ordinary skill in the art. There is no motivation found in the cited art to modify a GSM system to use OFDM, or to modify an OFDM system to use GSM-type time markers.

Claims 1-9 and 11-19 are therefore believed to be allowable over all cited art, and reconsideration is respectfully requested. If there is any teaching in any cited art that indicates that Krasner's discussion of GSM/time-division time markers can be applied to an OFDM/frequency-divided system, or that OFDM is actually utilized in GSM systems, the Examiner is respectfully requested to note precisely where this teaching can be found.

Claim 10 requires "loading the remote unit with a 32-bit hardware serial number; installing the remote unit in the network; transmitting the hardware serial number and a corresponding 14-bit remote unit identity; at the remote unit, deriving the remote unit identity in response to receiving the hardware serial number; and using the remote unit identity for communications with the remote unit." The Office Action states "remote units already have 32-bit hardware serial numbers," and launches into a discussion of hashing. To what remote units is the Examiner referring? The Office Action does not cite any art at all in this paragraph, and certainly neither Krasner nor Engstrom discuss 32-bit serial numbers. This rejection does not appear to even attempt to satisfy the requirements of a *prima facie* obviousness rejection. The Examiner is respectfully requested to provide documentary evidence in support of his rejection. This rejection is traversed, and claim 10 should be allowed over all art of record.

Claim Objections

The Examiner is thanked for his indication of allowable subject matter. However, in light of the arguments presented above, claims 6 and 16 are believed to be allowable without amendment.

SUMMARY

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *manderson@davismunck.com*.

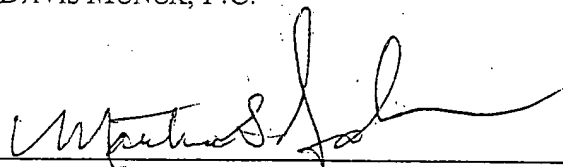
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Respectfully submitted,

DAVIS MUNCK, P.C.

Date: _____

2/3/4



Matthew S. Anderson
Registration No. 39,093

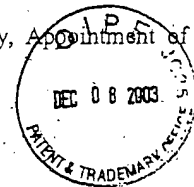
P.O. Box 802432
Dallas, Texas 75380
(972) 628-3600 (main number)
(972) 628-3616 (fax)
E-mail: *manderson@davismunck.com*



Mailed: December 2, 2003
In re. Application of: DAVID B. GIBBONS, ET AL.
Serial No.: 09/592,820
Filed: June 15, 2000
Title: SYSTEM AND METHOD FOR BROADCASTING TIMING
INFORMATION TO REMOTE UNITS IN A WIRELESS
MULTIPLE ACCESS NETWORK
Docket No.: ATTW01-00046 (formerly 1999-0345(STG171))

The following documents were received in the U.S. Patent and Trademark Office on the date stamped below:

- 1) Certificate of Mailing by First Class Mail; and,
- 2) Combined Revocation of Previous Power of Attorney, Appointment of New Attorneys, and Statement 37 C.F.R. 3.73(b).



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DAVIS MUNCK

DOCKET NO.: ATTW01-00046 (formerly 1999-0345(STG171))
Customer No. 34700

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : DAVID B. GIBBONS, ET AL.
Serial No. : 09/592,820
Filed : June 13, 2000
For : SYSTEM AND METHOD FOR BROADCASTING TIMING
INFORMATION TO REMOTE UNITS IN A WIRELESS
MULTIPLE ACCESS NETWORK
Group No. : 2664
Examiner : W. C. Schultz
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

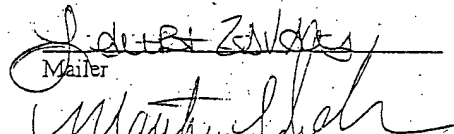
The undersigned hereby certifies that the following documents:

1. Postcard receipt;
2. Combined Revocation of Previous Power of Attorney, Appointment of New Attorneys, and Statement Under 37 C.F.R. 3.73(b)

relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 2, 2003.

Date: 12/2/03

Date: 12/2/03


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E-mail: manderson@davismunck.com

DOCKET NO. ATTW01-00046 (formerly 1999-0345(STG171))
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : DAVID B. GIBBONS, ET AL.

Serial No. : 09/592,820

Filed : June 13, 2000

For : SYSTEM AND METHOD FOR BROADCASTING TIMING
INFORMATION TO REMOTE UNITS IN A WIRELESS MULTIPLE
ACCESS NETWORK

Group No. : 2664

Examiner : W. C. Schultz

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMBINED REVOCATION OF PREVIOUS
POWER OF ATTORNEY, APPOINTMENT OF NEW
ATTORNEYS, AND STATEMENT UNDER 37 C.F.R. 3.73(b)

AT&T WIRELESS SERVICES, INC., a Delaware corporation, states that it is:

The assignee of the entire right, title, and interest in the patent application identified above by virtue
of:

An assignment from the inventor(s) of the corresponding patent application as identified above.

The assignment was recorded on October 17, 2000 in the United States Patent and Trademark Office at

Reel 011243, Frame 0311, or for which a copy thereof is attached.

The assignee hereby revokes all previous powers of attorney given.

DOCKET NO.: ATTW01-00046

SERIAL NO.: 09/592,820

PATENT

The assignee hereby appoints all attorneys assigned to:

Customer No.: 34700

as attorneys to prosecute this patent and to transact all business in the United States Patent and Trademark

Office connected therewith.

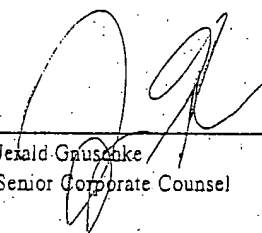
The assignee requests that all correspondence relating to the above-identified patent be addressed

to:

Customer No.: 34700

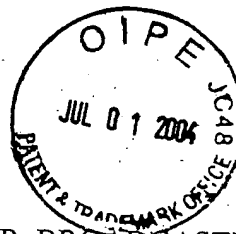
AT&T WIRELESS SERVICES, INC.

Date: 11/25/03


Jerald Grusshke
Senior Corporate Counsel



Mailed: June 28, 2004
In re. Application of: David B. GIBBONS, ET AL.
U.S. Serial No.: 09/592,820
Date Filed: June 12, 2000
Title: SYSTEM AND METHOD FOR BROADCASTING TIMING
INFORMATION TO REMOTE UNITS IN A WIRELESS
MULTIPLE ACCESS NETWORK
Docket No.: ATTW01-00046



The following documents were received in the U.S. Patent and Trademark Office on the date stamped below:

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- 2) Change of Correspondence Address
- 3) Copy of Revocation and POA previously filed December 2, 2003

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DAVIS MUNCK

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DOCKET NO.: ATTW01-00046
Customer No. 34700

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Group No. : 2664
Examiner : W. C. Schultz

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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The undersigned hereby certifies that the following documents:

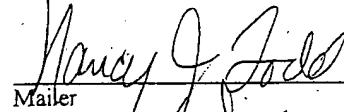
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2. Change of Correspondence Address; and
3. Copy of Revocation and POA previously filed 12/2/03.

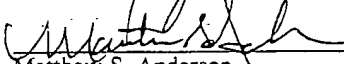
relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 28, 2004.

Date: 6/28/04

Date: 6/28/04

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Mailer


Matthew S. Anderson
Reg. No. 39,093

CHANGE OF CORRESPONDENCE ADDRESS Application Address to: Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/592,820
	Filing Date	6/12/2000
	First Named Inventor	Gibbons, et al.
	Art Unit	2664
	Examiner Name	William Schultz
	Attorney Docket Number	ATTW01-00046

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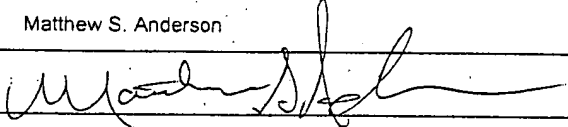
☐ Applicant/Inventor.

☐ Assignee of record of the entire interest.
 Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ Attorney or Agent of record.

☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number: _____

Typed or Printed Name Matthew S. Anderson

Signature 

Date June 24, 2004

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

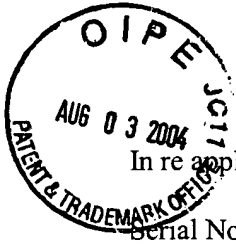
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DOCKET NO.: ATTW01-00046

PATENT

Customer No.: 34700



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David B. Gibbons et al.

Serial No.:

09/592,820

Filed:

June 12, 2000

For:

SYSTEM AND METHOD FOR BROADCASTING TIMING
INFORMATION TO REMOTE UNITS IN A WIRELESS
MULTIPLE ACCESS NETWORK

Group No.:

2664

Examiner:

Mark A. Mais

MAIL STOP PETITIONS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

Sir:

The undersigned hereby certifies that the following documents:

1. Petition to Withdraw Holding of Abandonment;
2. Copy of Certificate of Mailing by First Class Mail, copy of Response Under 37 C.F.R. §1.111, copy of postcard as forwarded and a copy of the return date-stamped postcard;
3. Copy of Change of Correspondence Address filed on June 28, 2004 along with a copy of the Revocation and New Power of Attorney filed on December 2, 2003; and
4. A postcard receipt;

relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 29, 2004.

Date:

July 29, 2004

Date:

7/29/04

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